

EXHIBIT 7

Plaintiff's First Supplement to
List of Witnesses and Documents
Pursuant to FRCP 26 and LR 26-1

1 SAMUEL CASTOR, ESQ.
2 Nevada Bar No. 11532
3 sam@switch.com

4 ANNE-MARIE BIRK, ESQ.
5 Nevada Bar No. 12330
6 abirk@switch.com

7 **SWITCH, LTD.**
8 7135 South Decatur Blvd.
9 Las Vegas, Nevada 89118
10 Telephone: (702) 444-4111

11 F. CHRISTOPHER AUSTIN, ESQ.
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13 caustin@weidemiller.com

14 **WEIDE & MILLER, LTD.**
15 10655 Park Run Drive, Suite 100
16 Las Vegas, Nevada 89144
17 Telephone: (702) 382-4804

18 *Attorneys for Plaintiff*

19 **UNITED STATES DISTRICT COURT**

20 **DISTRICT OF NEVADA**

21 SWITCH, LTD., a Nevada limited liability
22 company,

23 CASE NO.: 2:17-cv-02651-GMN-VCF

24 **PLAINTIFF'S FIRST SUPPLEMENT
TO LIST OF WITNESSES AND
DOCUMENTS PURSUANT TO FRCP
26 AND LR 26-1**

25 Plaintiff,

26 vs.

27 STEPHEN FAIRFAX; MTECHNOLOGY; and
28 DOES 1 through 10; ROE ENTITIES 11 through
29 20, inclusive,

30 Defendants.

31 Plaintiff, SWITCH, LTD. (hereinafter "Plaintiff" or "Switch"), by and through its attorneys,
32 hereby supplements its initial List of Witnesses and Documents Pursuant to FRCP 26 and LR 26-1
33 (as noted in **bold**), as follows:

34 These initial disclosures are based on information presently available to Plaintiff as of this
35 date, recognizing that its investigation continues and that discovery has just begun. Plaintiff's
36 investigation of this case is ongoing, and Plaintiff reserves the right to amend, modify, and
37 supplement these initial disclosures at any time as additional information becomes available during

1 the course of discovery.

2 In making these disclosures, Plaintiff does not purport to identify every individual document,
 3 data compilation, or tangible thing possibly relevant to this lawsuit. Rather, Plaintiff's disclosure
 4 represents a good faith effort to identify discoverable information Plaintiff currently and reasonably
 5 believes may be used to support its claims as required by Fed. R. Civ. P. 26(a)(1). Furthermore,
 6 Plaintiff makes these disclosures without waiving its right to object to the production of any
 7 document, data compilation, or tangible thing disclosed on the basis of any privilege, work product,
 8 relevancy, undue burden, or other valid objection. These disclosures do not include information that
 9 may be used solely for impeachment purposes. While making these disclosures, Plaintiff reserves,
 10 among other rights, (1) its right to object on the grounds of competency, privilege, work product,
 11 relevancy and materiality, admissibility, hearsay, or any other proper ground to use of any disclosed
 12 information, for any purpose in whole or in part in this action or any other action , and (2) its right
 13 to object on any and all proper grounds, at any time, to any discovery request, discovery motion, or
 14 other discovery procedures relating to the persons or documents identified in these initial disclosures
 15 or relating to the subject matter of this litigation. In addition, these disclosures do not identify or
 16 otherwise include information regarding expert witnesses, as FRCP Rule 26(a) does not require
 17 Plaintiff to provide such information at this time.

18 The following disclosures are made subject to the above objections and qualifications.

19 **I. WITNESSES:**

20 Plaintiff identifies the following witnesses:

21	Name and Contact Information	Subject(s) of Information
22 23 24 25 26 27 28	<p>1. Persons Most Knowledgeable: Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144</p>	<p>This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.</p>

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10.	Earl Keisling c/o Inertech, LLC 60 Backus Avenue Danbury, Connecticut 06810	This witness is co-founder and CEO of Inertech, LLC.
11.	John Costakis c/o Inertech, LLC 60 Backus Avenue Danbury, Connecticut 06810	This witness is likely to have discoverable information in connection with the data center infrastructure and technology division, which may support Switch's issues and claims at issue herein.
12.	Ming Zhang c/o Inertech, LLC 60 Backus Avenue Danbury, Connecticut 06810	This witness is President and Co-Founder of Inertech, LLC.
13.	Person Most Knowledgeable for Aligned Data Centers, LLC c/o ARNOLD & PORTER KAYE SCHOLER LLP	This witness is likely to have discoverable information in connection with manufacturing and construction, which may support Switch's issues and claims at issue herein.
14.	Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is leader of R&D Department at Inertech, LLC.
15.	Person Most Knowledgeable for Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP	Plaintiff hereby incorporates by reference this witness as identified by Defendants.
16.	Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
17.	Person Most Knowledgeable for Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP	Plaintiff hereby incorporates by reference this witness as identified by Defendants.
18.	Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
19.	Person Most Knowledgeable for Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP	Plaintiff hereby incorporates by reference this witness as identified by Defendants.
20.	Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
21.	Person Most Knowledgeable for Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP	Plaintiff hereby incorporates by reference this witness as identified by Defendants.
22.	Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
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1	Name and Contact Information	Subject(s) of Information
2	15. Rob Roy Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Founder, Chairman and CEO of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
8	16. Missy Young Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Chief Information Officer of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
14	17. Gabe Nacht Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Chief Financial Officer of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
20	18. Lesley McVay Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Chief Operations Officer of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.

1	Name and Contact Information	Subject(s) of Information
2	19. Terri Borden Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Chief Construction Officer of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
8	20. Mark Crosby Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Director of Security of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
14	21. Michael Smith Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Security Manager of Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
22	22. Rebecca Ray (fka Boettcher) Switch, Ltd. c/o SAMUEL CASTOR, Esq. ANNE-MARIE BIRK, Esq. 7135 South Decatur Blvd. Las Vegas, Nevada 89118 -and- F. CHRISTOPHER AUSTIN, Esq. WEIDE & MILLER, LTD. 10655 Park Run Drive, Suite 100 Las Vegas, Nevada 89144	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Executive Assistant, Office of the CEO, for Switch, Ltd. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.

1	2 Name and Contact Information	3 Subject(s) of Information
23.	4 Joe McDonald 5 Switch, Ltd. 6 c/o SAMUEL CASTOR, Esq. 7 ANNE-MARIE BIRK, Esq. 8 7135 South Decatur Blvd. 9 Las Vegas, Nevada 89118 10 -and- 11 F. CHRISTOPHER AUSTIN, Esq. 12 WEIDE & MILLER, LTD. 13 10655 Park Run Drive, Suite 100 14 Las Vegas, Nevada 89144	1 Plaintiff hereby incorporates by reference 2 this witness as identified by Defendants. 3 4 This witness is the former Chief Security 5 Officer of Switch, Ltd. 6 7 This witness is likely to have discoverable 8 information in connection which may 9 support Switch's issues and claims at issue 10 herein.
24.	8 Steven Lacy 9 c/o Coinbase, Inc. (current employer) 10 548 Market Street, #23008 11 San Francisco, California 94104	12 Plaintiff hereby incorporates by reference 13 this witness as identified by Defendants. 14 15 This witness is the former Global Security 16 System Deployment Manager of Uber 17 Technologies, Inc. 18 19 This witness is likely to have discoverable 20 information as to the facts and 21 circumstances alleged in the Complaint.
25.	22 Reynaldo Perez 23 Uber Technologies, Inc. 24 1455 Market Street, 4 th Floor 25 San Francisco, California 94103	26 Plaintiff hereby incorporates by reference 27 this witness as identified by Defendants. 28 29 This witness is the Regional Security 30 Manager of Uber Technologies, Inc. 31 32 This witness is likely to have discoverable 33 information as to the facts and 34 circumstances alleged in the Complaint.
26.	35 Robert Cassiliano 36 7x24 Exchange International 37 c/o Eques Office Centre 38 24 Merchants Way, Suite 200 39 Colts Neck, New Jersey 07722	40 Plaintiff hereby incorporates by reference 41 this witness as identified by Defendants. 42 43 This witness is the Chairman & CEO of 44 7x24 Exchange International and the 45 Chairman & CEO of BIZ. 46 47 This witness is likely to have discoverable 48 information as to the facts and 49 circumstances alleged in the Complaint.

1	Name and Contact Information	Subject(s) of Information
2	27. Jack Koch Aligned Data Centers c/o ARNOLD & PORTER KAYE SCHOLER LLP Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Director, Technology and Infrastructure, of Aligned Data Centers. This witness is likely to have discoverable information as to the facts and circumstances alleged in the Complaint.
3	28. Professor Michael Golay Massachusetts Institute of Technology 77 Massachusetts Ave., Room 24-223 Cambridge, Massachusetts 02139	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is likely to have discoverable information as to the facts and circumstances alleged in the Complaint.
4	29. Dean Nelson Uber Technologies, Inc. 1455 Market Street, 4 th Floor San Francisco, California 94103	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Head, Uber Compute, for Uber Technologies, Inc. This witness is likely to have discoverable information as to the facts and circumstances alleged in the Complaint.
5	30. Jim Weinheimer Uber ATC 50 33 rd Street Pittsburgh, Pennsylvania 15201	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Head of Data Center for Uber ATC. This witness is likely to have discoverable information as to the facts and circumstances alleged in the Complaint.
6	31. Mike Lewis c/o Hardscrabble Outdoors (current employer) 7363 McClain Point, Suite 130 Colorado Springs, Colorado 80915	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the former Senior Director of Global Data Center Services of eBay. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.

1	Name and Contact Information	Subject(s) of Information
2	32. James Monahan eBay 2025 Hamilton Avenue San Jose, California 95125	Plaintiff hereby incorporates by reference this witness as identified by Defendants. This witness is the Director of Datacenter Engineering of eBay. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
3	33. Thomas Doherty Aligned Data Centers, LLC c/o ARNOLD & PORTER KAYE SCHOLER LLP Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is Chief Operating Officer of Aligned Data Center. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
4	34. John Petralia c/o CA Technologies (current employer) 1 CA Plaza Islandia, New York 11749 Telephone: 800-225-5224	This witness is the former Chief Marketing Officer for Aligned Energy Holdings, LP. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
5	35. Rajendran Avadaippan c/o Energy Metrics (current employer) 1431 Broadway, 6 th Floor New York, New York 10018 Telephone: 855-732-2436	This witness is the former Chief Information Officer and Head Energy Metrics for Aligned Energy Holdings, LP. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
6	36. John Greenwood Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP Three Embarcadero Center, 10 th Floor San Francisco, California 94111 Telephone: 415-471-3277	This witness is SVP of Sales for Aligned Energy Holdings, LP. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
7	37. Tom Blair c/o Headstorm (current employer) 5055 Keller Springs Road, #250 Addison, Texas 75001 Telephone: 214-396-5390	This witness is the former Chief Sales Officer of Aligned Energy Holdings, LP. This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.

1	Name and Contact Information	Subject(s) of Information
2	38. Kirk Offel Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP Three Embarcadero Center, 10th Floor San Francisco, California 94111 Telephone: 415-471-3277	4 3 This witness is the Executive Vice President of Platform Delivery for Aligned Energy Holdings, LP. 5 6 This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
7	39. Anubhav Raj Aligned Energy Holdings, LP c/o ARNOLD & PORTER KAYE SCHOLER LLP Three Embarcadero Center, 10th Floor San Francisco, California 94111 Telephone: 415-471-3277	8 9 This witness is the Chief Financial Officer for Aligned Energy Holdings, LP. 10 11 This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.
12	40. FRCP 30(b)(6) Witness for PowerSecure, Inc. 1609 Heritage Commerce Court Wake Forest, North Carolina 27587 Telephone: 919-556-3056	13 14 This witness is likely to have discoverable information in connection which may support Switch's issues and claims at issue herein.

14 In addition to the foregoing, Plaintiff may call as witnesses and identifies the following as
15 having discoverable information in this matter:

16 1. Defendant's officers, employees, agents, licensees, customers, and independent
17 contractors regarding the allegations set forth in the Plaintiff's Complaint (as amended) and
18 Defendant's Answer thereto.

19 2. Any custodian of records for any entity involved in this matter, which witnesses may
20 be required to lay appropriate foundation for admission of documents in this matter.

21 3. Any impeachment or rebuttal witness.

22 4. Any witnesses identified in Defendant's initial disclosures pursuant to Rule 26(a)(1),
23 as well as any other witness disclosed or otherwise identified during the course of discovery that
24 Plaintiff may use to support its claims or defenses.

25 5. Plaintiff reserves the right to name expert witnesses.

26 6. Plaintiff reserves the right to supplement this list either to add or delete witnesses in
27 the event that subsequent discovery and/or investigation warrants the same.

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1 7. Plaintiff reserves the right to challenge any witness presented by Plaintiff on the basis
 2 of foundation relevance, hearsay, and other objections necessary.

3 **II. DOCUMENTS:**

4 Plaintiff hereby identifies the following categories of documents responsive to the foregoing:

5 Description	6 Location
7 All of the pleadings and papers on file herein and any exhibits attached thereto.	8 On record.
9 Documents reflecting the correspondence between Plaintiff (and its agents) and Defendant (and its agents) regarding the products at issue.	10 These documents are located at Plaintiff's corporate offices and/or the offices of its counsel. In addition, such documents are also within Defendant's possession.
11 Documents reflecting Plaintiff's creation and protection of Plaintiff's confidential information and trade secrets at issue.	12 These documents are located at Plaintiff's corporate offices and/or the offices of its counsel.
13 Documents reflecting the breach of agreements protecting Plaintiff's confidential information or trade secrets.	14 On information or belief, these documents are in the possession of Defendants or their counsel.
15 Documents reflecting the Plaintiff's intellectual property protection on the products at issue.	16 These documents are located at Plaintiff's corporate offices and/or the offices of its counsel.

17 Without limiting the foregoing, Plaintiff specifically identifies the following documents by
Bates Numbers available at the offices of Plaintiff's counsel.

18 Bates Number	19 Description
20 SWITCH 000001	21 Connecticut Secretary of State Entity Information – Aligned Energy, LLC
22 SWITCH 000002	23 Connecticut Secretary of State Entity Information – Inertech, LLC
24 SWITCH 000003	25 Department of State, Division of Corporations Information – Aligned Data Centers
26 SWITCH 000004	27 Department of State, Division of Corporations Information – Aligned Energy
28 SWITCH 000005	29 Department of State, Division of Corporations Information – Inertech
30 SWITCH 000006	31 Department of State, Division of Corporations Information – MTTechnology
32 SWITCH 000007- 33 SWITCH 000008	34 NonDisclosure Agreement, dated May 4, 2011, by Stephen Fairfax
35 SWITCH 000009- 36 SWITCH 000010	37 NonDisclosure Agreement, dated August 12, 2015, by Stephen Fairfax
38 SWITCH 000011- 39 SWITCH 000012	40 Spec Sheet – Plano Texas Colocation Site Specifications

1	SWITCH 00013- SWITCH 00035	MTechnology WhitePaper – Reliability Analysis of the APC Symmetra MW Power System
2	SWITCH 00036- SWITCH 00037	Email between Fairfax and Lewis, dated May 23, 2013, regarding initial visit, data centers, and architecture
3	SWITCH 00038- SWITCH 00039	Email between Lewis and Roy, dated May 24, 2013, regarding initial visit, reliability analysis, and meeting
4	SWITCH 00040	Video - Building a Holistic Thermodynamic Model for Aligned Data Centers, dated May 10, 2016
5	SWITCH 00041	Screenshot - Building a Holistic Thermodynamic Model for Aligned Data Centers, dated May 10, 2016
6	SWITCH 00042	Video - Steve Fairfax MTechnology Aligned Data Centers, dated November 3, 2015 from Aligned Website
7	SWITCH 00043	Screenshot - Steve Fairfax MTechnology Aligned Data Centers, dated November 3, 2015 from Aligned Website
8	SWITCH 00044	Video - Steve Fairfax MTechnology Aligned Data Centers, dated November 4, 2015
9	SWITCH 00045	Screenshot - Steve Fairfax MTechnology Aligned Data Centers, dated November 4, 2015
10	SWITCH 00046- SWITCH 00055	CONFIDENTIAL - Email exchange between Switch, eBay, Fairfax, and MTechnology dated March 30, 2011 – May 4, 2011
11	SWITCH 00056- SWITCH 00086	CONFIDENTIAL - Email exchange between Switch, eBay, Fairfax, and MTechnology dated March 30, 2011 – May 10, 2011
12	SWITCH 00087- SWITCH 00090	CONFIDENTIAL - Email exchange between Switch, eBay, Fairfax, and MTechnology dated May 23, 2013 – June 6, 2013
13	SWITCH 00091- SWITCH 00096	CONFIDENTIAL - Email exchange between Switch and eBay dated February 10, 2012 – February 27, 2012
14	SWITCH 00097- SWITCH 00099	CONFIDENTIAL - Correspondence from Michael A. Berta, Esq., counsel for Aligned Data Centers, LLC, to Thomas Morton, President and Chief Legal Officer of Switch, Ltd., dated July 31, 2017
15	SWITCH 000100	CONFIDENTIAL - Email from Steve Fairfax to Rebecca Boettcher (nka Rebecca Ray), of Switch, Ltd., dated May 10, 2011
16	SWITCH 000101- SWITCH 000105	CONFIDENTIAL - Correspondence from Thomas Morton, President of Switch, Ltd., to Andrew Schaap, Chief Executive Officer of Aligned Data Centers, dated July 21, 2017
17	SWITCH 000106- SWITCH 000109	CONFIDENTIAL - Litigation Hold Notice from Anne-Marie Birk, Esq., Associate General Counsel for Switch, Ltd., to Steve Fairfax, President of MTechnology, and Jakob Carnemark, Founder, CTO, Vice Chairman of Aligned Data Centers, dated July 27, 2017
18	SWITCH 000110- SWITCH 000139	United States Patent (US 8,523,643) – Electronic Equipment Data Center or Co-Location Facility Designs and Methods of Making and Using the Same
19	SWITCH 000140- SWITCH 000149	United States Patent (US 9,198,331) – Data Center Facility Design Configuration
20	SWITCH 000150- SWITCH 000166	United States Patent (US 9,622,389) – Electronic Equipment Data Center and Server Co-Location Facility Configurations and Method of Using the Same

1	SWITCH 000167- SWITCH 000182	United States Patent (US 9,693,486) – Air Handling Unit with a Canopy Thereover for Use with a Data Center and Method of Using the Same
2	SWITCH 000183- SWITCH 000207	Utility Patent Application Transmittal dated June 13, 2008 - Electronic Equipment Data Center or Co-Location Facility Designs and Methods of Making and Using the Same
3	SWITCH 000208- SWITCH 000230	Utility Patent Application Transmittal dated July 17, 2012 - Electronic Equipment Data Center and Server Co-Location Facility Configurations and Method of Using the Same
4	SWITCH 000231- SWITCH 000285	Utility Patent Application Transmittal dated August 21, 2012 – Data Center Air Handling Unit Including Uninterruptable Cooling Fan with Weighted Rotor and Method of Using the Same
5	SWITCH 000286- SWITCH 000338	Utility Patent Application Transmittal dated October 12, 2012 – Electronic Equipment Data Center or Co-Location Facility Designs and Methods of Making and Using the Same
6	SWITCH 000339- SWITCH 000396	Utility Patent Application Transmittal dated January 2, 2013 - Electronic Equipment Data Center or Co-Location Facility Designs and Methods of Making and Using the Same
7	SWITCH 000397- SWITCH 000407	Data Center Frontier web article, <i>Future-Proofing Cooling with the Adaptive Data Center</i> , dated May 2, 2019
8	SWITCH 000408- SWITCH 000427	Data Center Frontier web article, <i>The Top 10 Cloud Campuses</i> , dated November 23, 2015
9	SWITCH 000428	Video – Aligned Data Centers Plano, TX Opening dated December 14, 2015 from YouTube
10	SWITCH 000429- SWITCH 000432	Aligned Energy web article, <i>Steve Fairfax on Reliability-focused Data Center Design</i> dated December 2, 2015
11	SWITCH 000433	Image of Switch T-SCIF Side View
12	SWITCH 000434	Image of Switch T-SCIF Side View
13	SWITCH 000435	Image of Switch T-SCIF Front View
14	SWITCH 000436	Image of Switch T-SCIF Top View Showing the Heat Shield
15	SWITCH 000437	Image of Switch T-SCIF Diagram
16	SWITCH 000438	Image of Switch Data Center Cross-Section of Entire Facility
17	SWITCH 000439	Image of Switch Data Center Cross-Section of Entire Facility
18	SWITCH 000440	Image of Switch Data Center Cross-Section of Entire Facility
19	SWITCH 000441	Image of Switch Data Center Cross-Section of Entire Facility
20	SWITCH 000442	Image of Switch Data Center Cross-Section of Entire Facility
21	SWITCH 000443	Image of Aligned “Customer Pod” Side View
22	SWITCH 000444	Image of Aligned “Customer Pod” Side View
23	SWITCH 000445	Image of Aligned “Customer Pod” Front View
24	SWITCH 000446	Image of Aligned “Customer Pod” Top View Showing the Heat Shield
25	SWITCH 000447	Image of Aligned “Customer Pod” Diagram
26	SWITCH 000448	Image of Aligned Data Center Cross-Section of Entire Facility
27	SWITCH 000449	Image of Aligned Data Center Cross-Section of Entire Facility
28	SWITCH 000450	Image of Aligned Data Center Cross-Section of Entire Facility
	SWITCH 000451	Image of Aligned Data Center Cross-Section of Entire Facility
	SWITCH 000452	Image of Aligned Data Center Cross-Section of Entire Facility

The Bates numbered documents identified above may be downloaded from the following Box link:

PRIVILEGE LOG

Bates Number(s)	Document Description	Privilege Claimed	Action Taken
SWITCH 000036	Email	Personal Contact Information	Redacted
SWITCH 000038- SWITCH 000039	Email	Personal Contact Information	Redacted
SWITCH 000046- SWITCH 000053	Email	Personal Contact Information	Redacted
SWITCH 000056- SWITCH 000057	Email	Personal Contact Information	Redacted
SWITCH 000059- SWITCH 000063	Email	Personal Contact Information	Redacted
SWITCH 000087- SWITCH 000089	Email	Personal Contact Information	Redacted
SWITCH 000091- SWITCH 000095	Email	Personal Contact Information	Redacted
SWITCH 000100	Email	Personal Contact Information	Redacted
SWITCH 000106	Email	Personal Contact Information	Redacted
SWITCH 000109	Correspondence	Personal Contact Information	Redacted

Plaintiff further incorporates by reference the following documents identified by Defendants:

Bates Number	Description
	Correspondence documents with eBay, while MTechnology was working for eBay, concerning a proposed site visit by MTechnology to Switch's facilities
	Document of a reliability analysis performance by MTechnology and that MTechnology provided to Switch in 2011

1. Plaintiff reserves the right to amend this production at any time in which documents become available.

2. Plaintiff reserves the right to list additional exhibits in the event that subsequent discovery and/or investigation warrants the same.

1 3. Plaintiff reserves the right to use all documents relevant to this litigation, including,
2 without limitation, information relevant to expert, impeachment or rebuttal witnesses.

3 4. Plaintiff reserves the right to submit any exhibit and/or document disclosed by
4 Defendant in this matter.

5 5. Plaintiff reserves the right to submit any exhibits as may be necessary for purposes of
6 rebuttal or impeachment.

7 6. Plaintiff reserves the right to use all documents identified in any pleadings or papers
8 filed by any party in this matter. However, this reservation of rights is not a waiver of any objections
9 Plaintiff may have to those documents.

10 7. Plaintiff reserves the right to use all documents identified in the course of discovery
11 in this matter. However, this reservation of rights is not a waiver of any objections Plaintiff may have
12 to those documents.

13 **III. DAMAGES:**

14 A computation of any category of damages claimed by the disclosing party, making available
15 for inspection and copying as under Rule 34 the documents or other evidentiary material, not
16 privileged or protected from disclosure, on which such computation is based, including materials
17 bearing on the nature and extent of injuries suffered:

18 As this case is in the early stages of discovery, an exact computation of Plaintiff's damages
19 cannot be determined at this time. Plaintiff alleges damages arising from the following:

- 20 (a) Consequential damages and losses in an amount to be determined,
21 (b) Plaintiff's costs in bringing this action,
22 (c) Plaintiff's attorneys' fees, and
23 (d) Any other damages arising from any claims or amended claims in this action.

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IV. INSURANCE:

For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

Plaintiff is not aware of any applicable insurance contracts.

DATED this 2nd day of July, 2019.

SWITCH, LTD.

/s/: Samuel Castor
SAMUEL CASTOR, ESQ.
Nevada Bar No. 11532
ANNE-MARIE BIRK, ESQ.
Nevada Bar No. 12330
7135 South Decatur Blvd.
Las Vegas, Nevada 89118

F. CHRISTOPHER AUSTIN, ESQ.
Nevada Bar No. 6559
caustin@weidemiller.com
WEIDE & MILLER, LTD.
10655 Park Run Drive, Suite 100
Las Vegas, Nevada 89144
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b), I hereby certify that on this 2nd day of July, 2019, I served a true and correct copy of the above document, entitled **PLAINTIFF'S FIRST SUPPLEMENT TO LIST OF WITNESSES AND DOCUMENTS PURSUANT TO FRCP 26 AND LR 26-1**, to all parties, who are deemed to have consented to electronic service via their email, and via United States first-class mail, postage prepaid, as follows:

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